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09/731,758	12/08/2000	Stefano Faccin	59864.00529	9624
32294	7590	01/30/2006	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EL HADY, NABIL M	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/731,758	FACCIN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nabil M. El-Hady	2152	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 03 January 2006.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-84 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-84 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/3/2006 has been entered.

2. Claims 1-84 are pending in this application.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-84 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The following words or phrases are not clearly understood rendering the corresponding claims vague or indefinite:

a) "an identification of the subscriber" and "an access to be provided to the subscriber from a visited network of a plurality of networks connected to home network", claim 1, lines 3-4. It is unclear to the examiner where these two items are being sent and from where they are being sent, from the home network to the visited network or from the visited network to the home network.

b) “sending .... from a visited network of a plurality of networks connected to home network”, claim 1, lines 3-4. If sending is meant to be from a visited network to the home network, then it is unclear what “access to be provided to the subscriber” is referring to, the subscriber is already in the visiting network and is gaining access to it.

c) “in response to ... storing a subscriber profile of an authorized access ..”, claim 1, lines 5-6. First, is unclear how “authorized access” is being determined from “the access to be provided to the subscriber”. Second, it is unclear where the subscriber profile is being stored, in the visited network or the home network.

d) “storing a subscriber profile of an authorized access of a plurality of authorized accesses to be provided”, claim 1, lines 6-7. It is unclear if what is stored, in response to access to be provided to the subscriber, is “an authorized access” or “a plurality of authorized accesses”.

e) “controlling access .. to a network”, claim 1, line 8. It is unclear if “a network” here is referring to “a visited network” as in line 2 in the claim.

f) “the stored subscriber profile having the plurality of authorized accesses”, claim 1, lines 9-10. First, line 6 of the same claim, is referring to “storing a subscriber profile of an authorized access of a plurality of authorized accesses” and not storing “a plurality of authorized accesses”. Second, it is unclear how the subscriber profile is being populated with “the plurality of authorized accesses”, and if these “plurality of authorized accesses”

are for a visited network or for a plurality of visited networks, and if the subscriber profile is being populated while the subscriber is visiting different visited networks.

g) "comparison of the access to be provided to the subscriber and the stored subscriber profile having the plurality of authorized accesses", claim 1, lines 9-10. Without clarifying the difference between access to be provided and the authorized access stored, or how the authorized access is being determined from the access to be provided, it is unclear how a comparison is being made when the access to be provided is the basis for the stored profile having the plurality of authorized accesses.

h) "in response to connection ... to the visited network ... an identification .. and an access to be provided .. is sent to the home network" and "a subscriber profile of an authorized access of a plurality of authorized accesses .. is stored in one of the networks", claim 34, lines 7-10. First, is unclear how "authorized access" is being determined from "the access to be provided to the subscriber". Second, it is unclear where the subscriber profile is being stored. The claim refers to "a home network" and "a visited network", and in response to connection to the visited network, the information is send to the home network, but it is unclear where the information are being stored.

i) " access of the subscriber a network", claim 34, line 11. It is unclear if "a network" here is referring to "a visited network" as in lines 7-8 in the claim, at any other visited network.

l) "access ... is controlled by one of the networks storing the subscriber network", claim 34, lines 11-12. It is unclear what is meant by "storing the subscriber network".

Subscribe profile is being stored and not "subscriber network".

m) "the stored subscriber profile having the plurality of authorized accesses", claim 34, line 13. First, line 10 of the same claim, is referring to "an authorized access of a plurality of authorized accesses ... is stored" and not "a plurality of authorized accesses is stored". Second, it is unclear how the subscriber profile is being populated with "the plurality of authorized accesses", and if these "plurality of authorized accesses" are for a visited network or for a plurality of visited networks, and if the subscriber profile is being populated while the subscriber is visiting different visited networks.

n) "comparison of the access to be provided to the subscriber and the stored subscriber profile having the plurality of authorized accesses", claim 34, lines 12-13. Without clarifying the difference between access to be provided and the authorized access stored, or how the authorized access is being determined from the access to be provided, it is unclear how a comparison is being made when the access to be provided is the basis for the stored profile having the plurality of authorized accesses.

o) "providing ... at a home network of the subscriber", claim 37, lines 3-4. It is unclear if the information (identification of subscriber and identification of access) is provided to a home network, provided from a home network, or the information is being kept at the home network and being provided from the home network.

p) "subscriber registers in a network ....providing .. an access of a plurality of accesses", claim 37, lines 3-4, and "access from the plurality of accesses to one of the networks", lines 5-6. It is unclear if "the plurality of accesses" is for only one network or for all networks registered to by the subscriber.

q) " providing ...." Claim 37, lines 3-5. The claim identify what is provided (identification of the subscriber, an access at a home network of the subscriber), but it is unclear who is providing the information and to whom the information is being provided.

s) "providing ... at a home network", claim 68, line 3. It is unclear if the information (identification of subscriber) is provided to a home network, provided from a home network, or the information is being kept at the home network and being provided from the home network. If the last interpretation is appropriate, then it is unclear to whom the information is being provided.

t) " in response to the providing ... , storing a subscriber profile", claim 68, lines 4-5. First, it is unclear, how a subscriber profile of an access of a plurality of accesses is being created. Second, it is unclear where the subscriber profile is being stored.

x) " using subscriber profile in controlling service provided to the subscriber", claim 68, lines 7-8. Again, it is unclear where the subscriber profile is being stored. Second, it is unclear how the service provided is related to the networks registered to by the subscriber.

y) "provided ... at the home network", claim 78, line 8. It is unclear if the information (identification of the subscriber) is provided to a home network, provided from a home network, or the information is being kept at the home network and being provided from the home network. If the last interpretation is appropriate, then it is unclear to whom the information is being provided.

z) "in response to ... a subscriber profile of an access .. is stored", claim 78, lines 7-10. It is unclear where the subscriber profile is being stored, in the home network or in one of the networks connected to by the subscriber equipment.

zz) " stored subscriber profile is used in controlling service provided to the subscriber", claim 78, lines 10-11. Again, it is unclear where the subscriber profile is being stored. Second, it is unclear how the service provided is related to the networks registered to by the subscriber.

B. The following lack antecedent basis:

- a) "the visited network", claim 34, lines 7-8.
- b) "the networks", claim 34, line 10 and line 11.
- c) " at least the networks", claim 68, line 6.
- d) "the subscriber", claim 78, line 2.

5. Claims 37 and 68 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook (US 6,697,806).

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6. Cook discloses providing access between a user system and a plurality of communication networks. The plurality of communication networks provides services to a user in the user system. An access communication system includes a database system and an access server that is connected to the user system and the plurality of communication networks (col. 3, lines 15-22). The database system receives a request to update a user access profile with user profile information (col. 3, lines 25-30). The database system retrieves user access profile from a second database system external to a local database system (col. 3, lines 43-50).

7. As to claim 37, Cook discloses, within the features stated above, controlling access of a subscriber to register in networks comprising during or after the subscriber registers in a network, providing an identification of the subscriber and an access of a plurality of accesses at a home network of the subscriber, the access comprising an identification of access from the plurality of accesses to one of the networks in which the subscriber is registered (col. 3, lines 15-22, 25-30, 43-50).

8. As per claim 68, Cook discloses, within the features stated above, controlling access of a subscriber to register in networks comprising providing an identification of the subscriber at a home network; in response to the providing of the identification of the subscriber, storing a subscriber profile of an access of a plurality of accesses to be provided to the subscriber to at least the networks; and using the stored subscriber profile in controlling service provided to the subscriber (col. 3, lines 15-22, 25-30, 43-50).

9. Claims 1, 34, 37, 68, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al. (US 6,148,199), hereinafter "Hoffman".

10. Hoffman discloses as prior art that in a typical communication network, a subscriber, or user, database is maintained that includes user information, user profile, feature activation status, access privileges, and so forth. This database is typically referred to as a home location register (HLR), and is well understood. Upon receiving a request for registration from a communication unit, the network equipment accesses the HLR, finds the correlating subscriber record, and determines the features to activate for the communication unit, as well as the necessary authorization information, among other pertinent information. This information is transferred to another database called the visitors location register (VLR), which is also well understood in the art. The VLR is used by the system to also track the communication's unit's location in the system (col. 1, lines 30-45).

11. As to claim 37, Hoffman discloses, within the features stated above, controlling access of a subscriber to register in networks comprising during or after the subscriber registers in a network, providing an identification of the subscriber and an access of a plurality of accesses at a home network of the subscriber, the access comprising an identification of access from the plurality of accesses to one of the networks in which the subscriber is registered (col. 1, lines 30-45). It would have been obvious to one skilled in the art at the time of the invention that the subscriber, or user, database of Hoffman includes user information, user profile, feature activation status, access privileges, and so forth. The access privileges may include an access from a plurality of accesses to one of the networks in which the subscriber is registered.

12. As per claim 68, Hoffman discloses, within the features stated above, controlling access of a subscriber to register in networks comprising providing an identification of the subscriber at

a home network; in response to the providing of the identification of the subscriber, storing a subscriber profile of an access of a plurality of accesses to be provided to the subscriber to at least the networks; and using the stored subscriber profile in controlling service provided to the subscriber (col. 1, lines 30-45). It would have been obvious to one skilled in the art at the time of the invention that the information transferred to the database of the visitors location register (VLR) includes a subscriber profile of an access of a plurality of accesses to be provided to the subscriber to the visited networks.

13. As to claims 1, 34, and 78, the claims are rejected for the same reasons as claims 37 and 68 above.

14. Claims 1, 34, 37, 68, and 78 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Lahtinen et al. (US 6,745,029), hereinafter "Lahtinen".

15. Lahtinen discloses that a subscriber moving from one network to another will have available all the supplementary network services that the subscriber's user terminal supports. Supplementary services are always associated with a certain amount of data which has to be stored in permanent subscriber databases and transferred to a system visited at a particular time (col. 2, lines 39-46). Lahtinen, also, discloses initiating by the user terminal the registration in a visited network, which comprises at least one network-specific supplementary service, transferring the data relating to the common services of the home network and the visited network, in connection with the registration, from the subscriber database of the home network for temporary storage to the subscriber database of the visited network (col. 3, lines 17-26).

16. As to claim 37, Lahtinen discloses, within the features stated above, controlling access of a subscriber to register in networks comprising during or after the subscriber registers in a network, providing an identification of the subscriber and an access of a plurality of accesses at a home network of the subscriber, the access comprising an identification of access from the plurality of accesses to one of the networks in which the subscriber is registered (col. 2, lines 39-46; and col. 3, lines 17-26 ). It would have been obvious to one skilled in the art at the time of the invention that the supplementary services of Lahtinen that are associated with a certain amount of data which has to be stored in permanent subscriber data bases and transferred to a system visited by the subscriber would include access to be provided for these services in order to control the access to these services.

17. As per claim 68, lahtinen discloses, within the features stated above, controlling access of a subscriber to register in networks comprising providing an identification of the subscriber at a home network; in response to the providing of the identification of the subscriber, storing a subscriber profile of an access of a plurality of accesses to be provided to the subscriber to at least the networks; and using the stored subscriber profile in controlling service provided to the subscriber (col. 2, lines 39-46; and col. 3, lines 17-26). It would have been obvious to one skilled in the art at the time of the invention that the information transferred to the database of the visited network includes a subscriber profile of an access of a plurality of accesses to be provided for these services in order to control the access to these services.

18. As to claims 1, 34, and 78, the claims are rejected for the same reasons as claims 37 and 68 above.

19. Claims 1-31 and 34-84 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al. (5,742,668), hereinafter Pepe in view of Cook.
20. Pepe is cited by the examiner in a previous office action.
21. As for claim 1, Pepe teaches a method of controlling access of a subscriber to a network comprising: sending an identification of the subscriber and an access to be provided to the subscriber from a visited network of a plurality of networks connected to a home network (e.g. col. 21, lines 12-28); in response to the identification of the subscriber and access to be provided to the subscriber, storing a subscriber profile of an authorized access to be provided to the subscriber (e.g. col. 21, lines 12-28); and controlling access of the subscriber to any network dependent upon a comparison of the access to be provided to the subscriber and the stored subscriber profile (e.g. col. 21, lines 12-28).
22. Pepe does not necessarily disclose user profile of an authorized access of a plurality of authorized accesses. Cook, on the other hand, discloses user profile of an authorized access of a plurality of authorized accesses. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Pepe and Cook because Cook's feature of storing a plurality of accesses in user profile would facilitate the control of the access of the user to different networks with different services.
23. As for claims 34-36, the claims are rejected for similar reasons as stated above.

24. As for claim 37, Pepe teaches a method of controlling access of a subscriber to register in networks comprising during or after the subscriber registers in a network, providing an identification of the subscriber and an access at a home network of the subscriber, the access comprising an identification of access to one of the networks in which the subscriber is registered (during or after registering of the subscriber in a visiting network, the subscriber is provided in the visiting network with a part of the subscriber profile data stored in the home location register in order to implement service features (col. 2, lines 21-31)).

25. As for claim 38, the claim is rejected for similar reasons as stated above.

26. As for claim 68, Pepe teaches a method of controlling access of a subscriber to register in networks comprising providing an identification of the subscriber at a home network; in response to the providing of the identification of the subscriber, storing a subscriber profile of an access to be provided to the subscriber to at least the networks (the subscriber is provided in the visiting network with a part of the subscriber profile data stored in the home location register in order to implement service features (col. 2, lines 21-31)); and using the stored subscriber profile in controlling service provided to the subscriber (col. 2, line 57 to col. 3, line 18).

27. As for claim 78, the claim is rejected for similar reasons as stated above.

28. As for claims 39, 69, and 79, Pepe teaches a method wherein: the controlling of the service provided to the subscriber occurs while the subscriber is registered in a visited network and the networks are access networks from which the subscriber may obtain services while roaming in the visited network (e.g. col. 2, lines 25-35).

29. As for claims 2, 41, 42, 70, 71, Pepe teaches a method wherein: the storing of the subscriber profile is in the home network (e.g. Figure 1).
30. As for claims 3, 43, 72, 80, 81, Pepe teaches a method wherein: the storing of the subscriber profile is in the visited network (e.g. col. 22, lines 4-10).
31. As for claims 4, 7, 10, Pepe teaches a method wherein: each difference access provides a different degree of bandwidth in communications (e.g. col. 6, lines 10-19).
32. As for claims 5, 8, 11, Pepe teaches a method wherein: each access provides for a different degree of security in communications (e.g. col. 6, lines 35-45).
33. As for claims 6, 9, 12, Pepe teaches a method wherein: each access provides different connection supplementary services (e.g. col. 7, lines 15-25).
34. As for claim 13, Pepe teaches a method wherein: the home network is an Internet protocol network and the visited network is a wireless cellular bearer network (e.g. col. 23, lines 50-60).
35. As for claim 14, Pepe teaches a method wherein: the public cellular bearer network is a general packet radio system network (e.g. col. 18, lines 30-40).

36. As for claim 15, Pepe teaches a method wherein: the home network is an Internet protocol network and the visited network is an Internet service provider (e.g. col. 2, lines 58, 65 and col. 22, lines 37-41).

37. As for claim 16, Pepe teaches a method wherein: the home network is an Internet protocol network and the visited network is a wireless local area network (e.g. col. 23, lines 28-38).

38. As for claims 17-31, Pepe teaches a method wherein: the access is chosen from a plurality of authorized accesses which may be granted to the subscriber (e.g. col. 6, lines 47-59).

39. As for claim 40, Pepe teaches a method wherein: the controlling of the service provided to the subscriber occurs from a request of a call controlling entity (e.g. col. 8, lines 48-54).

40. As for claim 44-47, Pepe teaches a method wherein: the sending of the identification of the subscriber and an access occurs in response to the transmission of an access type indicator identifying a network in which the subscriber is registered through the visited network to the home network or in response to a request from a call serving entity (e.g. col. 6, lines 10-26).

41. As for claims 48-54, Pepe teaches a method wherein: the subscriber profile comprises general service data used in providing service to the subscriber and data regarding permitted access of the subscriber to the networks (e.g. col. 9, lines 37-50).

42. As for claim 55, Pepe teaches a method wherein: the application level access originates from equipment of the subscriber registered to one of the networks (e.g. col. 20, lines 22-35).

43. As for claim 56, Pepe teaches the access originates from an interface between the visited network and one of the access networks to which the subscriber is registered (PCI 40, Fig. 1).

44. As for claim 57, Pepe teaches a method wherein: the access is determined by a call control entity based upon information obtained by the control entity about the network to which the subscriber is registered (e.g. col. 20, lines 4-20).

45. As for claim 58, Pepe teaches a method wherein: in response to at least one subsequent identification of the subscriber and the access being provided at the home network, the home network sends to the visited network an acknowledgement of a change in registration of the subscriber to another access network (e.g. col. 23, lines 28-35).

46. As for claim 59, Pepe teaches a method wherein: the access is used by the home network to control connectivity of communications to the subscriber through the home network (e.g. col. 23, lines 50-60).

47. As per claims 60-67, the claims are rejected for similar reasons as stated above.

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48. As for claims 73, 74, Pepe teaches a method wherein: the providing of the identification of the subscriber occurs in response to transmission of an access type indicator to the home network identifying an access network (e.g. col. 23, lines 5-18).

49. As for claims 75-77, the claims are rejected for similar reasons as stated above.

50. As for claim 82, Pepe teaches a system wherein: an access comprising an identification of access to one of the networks in which the subscriber is registered is transmitted from the visited network to the home network and the storing of the subscriber profile is in response to the identification of access at the home network (e.g. col. 16, lines 1-12).

51. As for claim 83, the claim is rejected for similar reasons as stated above.

52. As for claim 84, Pepe teaches the access is an application level access (col. 2, lines 60-65).

53. Claims 32 and 33 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

54. Applicant's arguments filed 1/3/2006 have been fully considered but they moot in view of the new ground(s) of rejection.

55. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Coyne et al. (US 5,943,619) ; Barrett et al. (US 6,167,280) ; Cheng et al. (US 5,537,467) ; barber (US 6,502,193) ; Osentoski et al. (US 6,763,344) ; Pereira, III (US 6,931,402) ; La Porta et al. (US 6,081,715); Nguyen (US 5,564,068); Berggren et al. (US 6,073,015); Aschir et al. (US 6,535,741); Chambers (US 6,256,497); Laiho (US 6,097,942); and Wang (US 6,614,774).

56. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nabil M. El-Hady whose telephone number is (571) 272-3963. The examiner can normally be reached on 9:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 23, 2006

  
Nabil El-Hady, Ph.D, M.B.A.  
Primary Examiner  
Art Unit 2152